

P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jack A. DANT Confirmation No.: 2345
Serial No.: 10/663,212 Examiner: James L. Swiger III
Filed: September 15, 2003 Group Art Unit: 3733
Docket No.: 1292.1225101 Customer No.: 28075
Title: APPARATUS AND METHOD FOR SPINAL DISTRACTION USING A FLIP-UP PORTAL

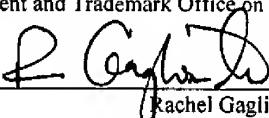
AMENDMENT WITH RCE

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CERTIFICATE FOR ELECTRONIC TRANSMISSION:

The undersigned hereby certifies that this paper or papers, as described herein, are being electronically transmitted to the U.S. Patent and Trademark Office on this 29th day of August, 2008.

By



Rachel Gagliardi

Dear Sir:

This Amendment is being filed in response to the Advisory Action mailed August 19, 2008 and the Final Office Action mailed May 30, 2008, with a shortened statutory period set to expire on August 30, 2008. This paper is filed within the set period for response such that no extension of time is necessary.

Please charge any additional fees or credit overpayment to Deposit Account No. 50-0413.

Please amend the above-identified patent application as follows:

Amendments to the Claims are reflected in the listing of claims, which begins on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.